

PUBLIC NOTICE

PERMIT APPLICATION NUMBER: NRS 07.270

APPLICANT: Ben Moore
P.O. Box 3240
Cleveland, Tennessee 37320
423-479-5855

LOCATION: The proposed alteration is located in an unnamed tributary to South Mouse Creek, east of Frontage Road just north of Paul Huff Parkway in the city of Cleveland in Bradley County, Tennessee (35.2147° N, -84.8686° W)

WATERSHED DESCRIPTION: The aquatic resources proposed to be impacted are located in the Hiawassee River watershed (HUC 06020002). The Hiawassee River watershed is primarily characterized by agriculture and pasture with increasing industry and urbanization. The unnamed tributary to South Mouse Creek supports the following designated uses: irrigation, recreation, fish and aquatic life, and livestock watering and wildlife. The unnamed tributary to South Mouse Creek at the project location has a channel bottom width of approximately 1-3 feet, top of bank width of 3-5 feet, and bank height of 1-3 feet.

PROJECT DESCRIPTION: The applicant proposes to encapsulate approximately 225 feet of an unnamed tributary to South Mouse Creek in a 60-inch reinforced concrete pipe (RCP). The proposed activity is designed to facilitate commercial retail develop and a city convention center.

ATTENTION: This project was previously placed on public notice on September 12, 2007. The division previously denied issuance of an ARAP permit for this project on October 24, 2007, due to a lack of economic and social justification and compensatory mitigation. Supplemental information was received on March 10, 2008. Based upon the supplemental information received, the project is now being re-noticed to the public.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in significant degradation to water quality. This notice may be viewed on the internet at:
<http://www.state.tn.us/environment/wpc/ppo/arap>.

PERMIT COORDINATOR: Chip Hannah

USGS TOPOGRAPHIC QUADRANGLE: USGS, East Cleveland, TN

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the

department. **Written comments must be received within THIRTY (30) DAYS of the date that this notice is posted.** Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section
401 Church Street
7th Floor, L & C Annex
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments on record and the requirements of applicable federal and state laws.

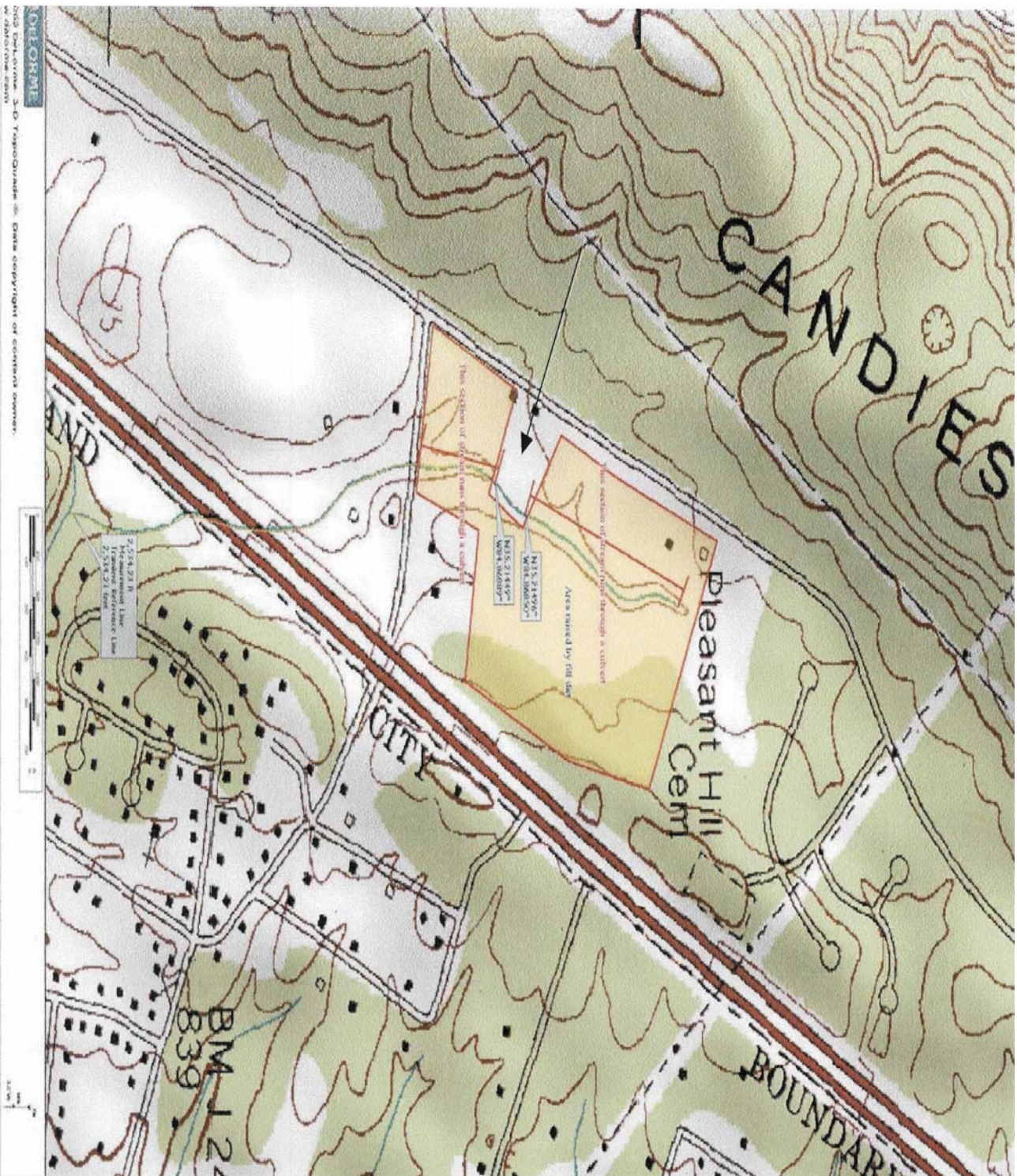
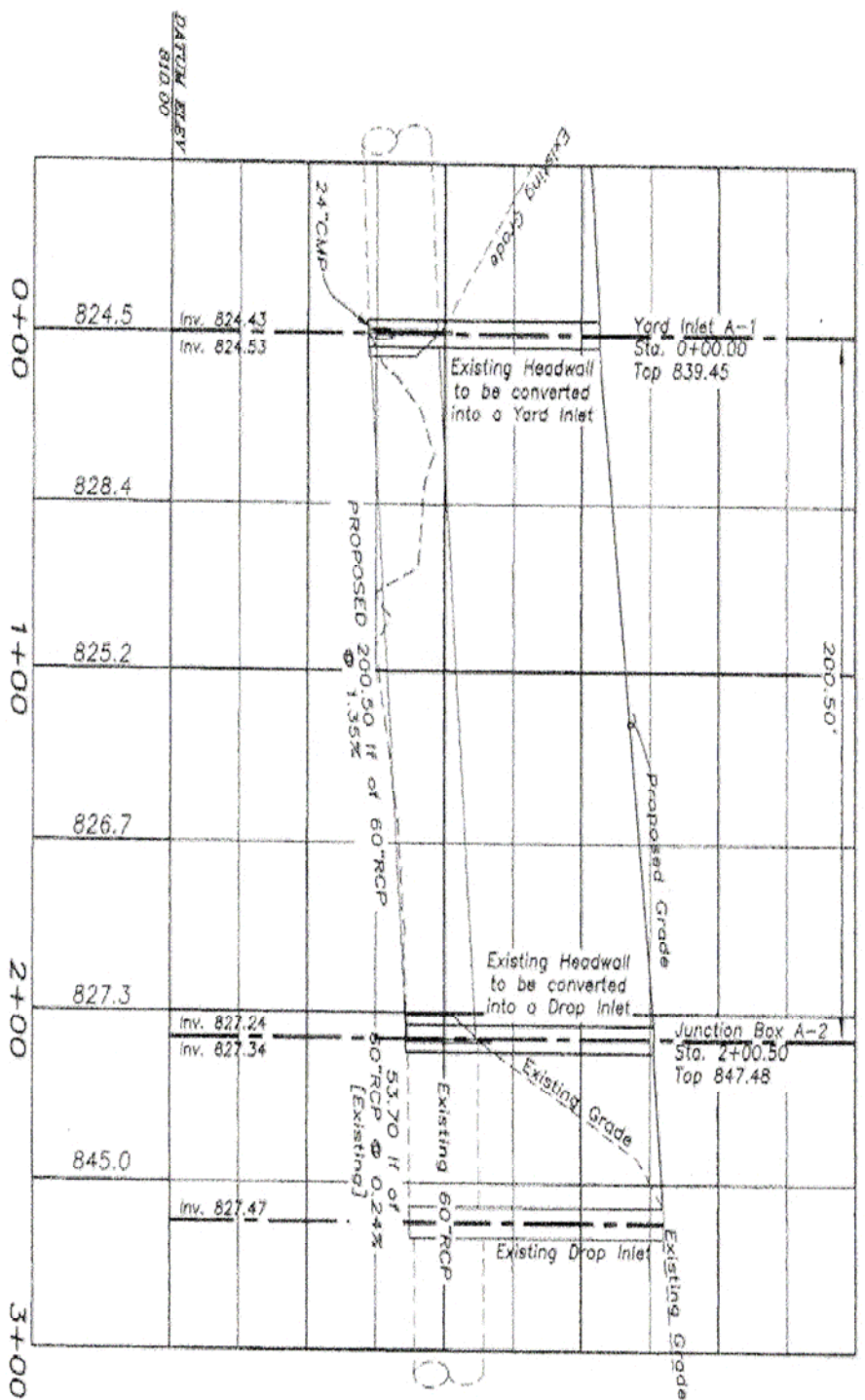


Figure 1: USGS topographic map, with project area indicated and comments by Chattanooga EFO.





CLEVELAND SURVEYING COMPANY
1523 SOUTH LEE HIGHWAY
CLEVELAND, TENNESSEE 37311
PHONE (423) 479-1829

Ben Moore
ARAP Exhibit Utility Piping

Date: 7/27/06
Scale: 1"=60'
Project: 880516
Sheet: 4

Figure 3: View of proposed grade and pipe